

PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Public Safety Committee** was held on Wednesday, May 2, 2012 in Room 200, Northern Building, 305 East Walnut Street, Green Bay, Wisconsin.

Present: Supervisor Buckley, Supervisor Nicholson, Supervisor Carpenter, Supervisor Clancy, Supervisor Zima
Also Present: Karl Fleury, Don Hein, Todd DeLain, Supervisor Landwehr, Bonnie De Bauche, Supervisor Moynihan, Media, Other Interested Parties

I. Call meeting to order.

The meeting was called to order by senior member Guy Zima at 5:33 p.m.

II. Approve/Modify Agenda.

Motion made by Supervisor Buckley, seconded by Supervisor Nicholson to approve. Vote taken.
MOTION CARRIED UNANIMOUSLY

III. Election of Chair.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to nominate Pat Buckley as Chairman of the Brown County Public Safety Committee.

Nominations closed.

Patrick Buckley elected as Chairman of the Public Safety Committee by unanimous ballot.

IV. Election of Vice Chair.

Motion made by Supervisor Clancy, seconded by Supervisor Nicholson to nominate Tim Carpenter as Vice Chairman of the Brown County Public Safety Committee.

Nominations closed.

Tim Carpenter elected as Vice Chairman of the Public Safety Committee by unanimous ballot.

V. Set date and time for regular meetings.

A discussion was held with regard to the date and time for regular meetings. It was determined that Public Safety Committee meetings will be held the first Wednesday of each month at 5:30 p.m.

VI. Approve/modify minutes of April 4, 2012.

Motion made by Supervisor Nicholson, seconded by Supervisor Carpenter to approve. Vote taken.
MOTION CARRIED UNANIMOUSLY

Communications

1. Communication from Supervisor Vander Leest re: Request for an update from Sheriff Gossage on Quest Card misuse in Brown County. Closed session with Sheriff Gossage to discuss investigations and

strategies relating to the detection and/or prevention of Quest Card fraud. Pursuant to § 19.85(1)(d), any meeting of a governmental body may be convened in closed session for purposes of considering specific applications of probation, extended supervision or parole, or considering strategy for crime detection or prevention. Additionally, under § 19.85(1)(f), any meeting of a governmental body may be convened in closed session for purposes of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.

It should be noted that Supervisor Vander Leest contacted the Board office earlier in the day to advise that he would like to be included in the closed session via speaker phone.

Chief Deputy Todd De Lain did not feel that a closed session was necessary unless there were specific questions regarding investigations. He provided a general update on what is happening with fraud investigations and stated that Bonnie De Bauche from Human Services was also present to answer any questions the Committee may have.

Supervisor Zima suggested that Supervisor Vander Leest be included by phone at this time. Chair Buckley stated that after it was decided whether or not to go into closed session, Vander Leest would be called.

De Lain continued that the Sheriff's Department is continuously working with Human Services and every single tip they receive with regard to Quest card fraud is addressed by HS immediately. If something actionable is discovered they have an investigator look into it. If a general tip is received that does not contain adequate information, HS automatically sends a letter to the recipient advising them that information has been received that leads them to believe they may be involved in misuse of the benefits which could result in prosecution.

De Lain continued that he had received information from HS that there had been at least nine letters sent out over the last two months and there have been investigations into several of these. He stated that one thing to keep in mind is that there are approximately 11,000 clients that receive benefits through the Quest card and of that number there is a very small percentage of complaints or tips generated as to misuse. De Lain stated that he had spoken with Jenny Hoffman in HS and was advised that for the total number of clients served with Quest cards, they receive tips or complaints for less than 1%. De Lain informed the Committee if they have any information whatsoever that a theft by fraud is occurring as it relates to the Quest cards, with the resources available they definitely look into every single complaint.

Buckley asked if there was any reason to go into closed session and De Lain stated that he did not feel it was necessary unless Vander Leest had specific questions about something he had knowledge about that might relate to an investigation. Nicholson suggested that Vander Leest be contacted via telephone at this time to see what he wants to ask and whether it is something that would need to be handled in closed session.

Zima stated that he had received a call from Vander Leest earlier in which Vander Leest expressed great concern and he thought that Quest cards are being sold, although he did not give Zima any specific details of cases. Zima stated that he had observed in convenience stores that IDs are not checked when Quest cards are used and he felt that these cards could easily be used by anyone and nobody would know that it was not the rightful owner of the card. Zima stated that Vander Leest's communication was to discuss investigations and strategies relating to the detection or prevention of fraud. Zima assumed that Vander Leest wanted this discussed in closed session because he did not want the people breaking the law to

read in public record what strategies are discussed. Zima felt it would be very easy to abuse Quest cards and he questioned how many investigations had been done and wondered if a tip line was something that should be considered. Bonnie De Bauche stated that they do have a tip line and they do receive tips on it. She also stated that they investigate every single tip they receive and they have a number of strategies that she did not wish to go into in open session. She stated that some fraud is hard to prove, but they are able to prove some things by looking at the usage of the cards. De Bauche continued that citations have been issued in some cases and in other cases benefits have been removed from clients for a year. De Bauche continued that in 2011 30 citations were issued, but not all were necessarily related to Quest cards, they could have been for other things such as not reporting the correct household composition, but she estimated that about 1/3 of the total citations issues related to misuse of Quest cards.

Buckley advised new Committee members that this issue had been discussed at least four times over the last year and a half and this is how the second fraud investigator became involved. De Lain stated the second investigator will be starting on May 14, 2012. De Lain added that one of the difficult things with these cases is that there are no State or federal guidelines to require checking identification when cards are used and Zima felt this was a major flaw. De Lain agreed and stated there is a lot of work to coordinate with the State and federal government as to how this is done and he stated that they are heading in the direction of getting more involved with the State to correct some of these problems. He felt that Brown County is a leader in the State in trying to address this issue and that HS, the Sheriff's Office and the District Attorney have been very proactive in not only looking at things that have occurred previously but more importantly coming up with ways to prevent fraud from occurring in the first place.

Buckley interjected that he had texted Vander Leest and he advised Buckley that he had a specific question in connection with something that had been discussed last year. At this time, Vander Leest was added to the meeting via telephone.

Zima asked Vander Leest if there was a particular reason he wanted to go into closed session and Vander Leest stated that he would like to go into closed session to discuss a strategy related to what is happening with the Quest card misuse and fraud. Buckley advised Vander Leest that most of this would have to come from the State because the County needs the resources from the State and when Brown County brought in the second investigator it was done at the County's cost as was the first one and there has not been any movement from the State to get any funds back. Vander Leest stated that this has nothing to do with the State and that the County has the ability to do stings and other enforcement and none of this has been done. He did not want to reveal things that had been discussed in earlier closed session, but he felt that what was discussed at the last closed session on this issue has not been carried out by the Sheriff's Department. Vander Leest continued that the Board and the Committee gave direction to the Sheriff's Department on what should be done and this has not been carried out and further that as the legislative branch we have the ability to work on issues and there was an agreement that was made out of that closed session on what was going to be done and it has not been done. He has asked County staff about this and has asked the Sheriff and nothing has been done. Neither Supervisor Carpenter nor Supervisor Nicholson recalled specific details.

Motion made by Supervisor Zima, seconded by Supervisor Clancy to enter into closed session pursuant to Wis. Stats. §19.85(1)(d) at 5:56 p.m. Vote taken. MOTION CARRIED UNANIMOUSLY
Roll Call: Present – Buckley, Clancy, Zima, Carpenter, Nicholson

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to return to regular order of business at 6:18 p.m. Vote taken. MOTION CARRIED UNANIMOUSLY
Roll Call: Present – Buckley, Clancy, Zima, Carpenter, Nicholson

Motion made by Supervisor Nicholson, seconded by Supervisor Carpenter to gather the minutes of September, 2011 and October, 2011 where it was stated to have approximately four locations monitored to deal with Quest cards and refer to Sheriff for possible action. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Carpenter, seconded by Supervisor Zima to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Sheriff:

2. Budget Status Financial Report as of February, 2012.

Accountant Don Hein reported that there was nothing that stood out in the February financials. He did say that the March financials were not available at the time agenda items were given to the Board office and therefore this will appear on the next agenda.

Motion made by Supervisor Nicholson, seconded by Supervisor Carpenter to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

3. Key Factor Reports and Jail Average Daily Population by Month and Type for the Calendar Year 2012.

Chief Deputy De Lain stated that the jail population is down slightly overall to about 700 inmates as well as between 81 – 83 people on the EMR program. This is slightly above what they were shooting for on the EMR program and De Lain said that it has been a very successful program and has been pivotal in keeping the jail population down. He also noted that inmates pay the costs to be on the program which also helps to keep the overall jail costs down.

De Lain continued that the jail average daily population report originated back when there were overcrowding issues at the jail. De Lain stated that Sheriff Gossage had asked him to ask the Committee if they wished to continue receiving this report on a monthly basis or if a quarterly report may be more appropriate, unless issues arose with regard to the population at which time the Committee would be notified.

Nicholson stated he did not agree with a quarterly report, not because of this administration, but because of prior administrations. He is not worried about the current administration, but he does have concerns about any subsequent administrations and he feels the Committee should have this information monthly.

Zima felt that this is one of the clearest reports that he sees in the County. He felt it was easy to read and the information in the report was valuable and would help the Committee keep an ongoing handle on things. Zima asked if it was a difficult report to prepare and Hein stated that it was not difficult and he wanted to make it clear that they were not saying that they did not want to continue doing the report, but what they wanted to know is if the Committee really wanted to have this information presented monthly.

Buckley stated he felt the Sheriff's Department does a very good job of monitoring the jail population and if a motion was passed to have this report done quarterly, we could always go back to a monthly report in the future if the need arose for some reason. At this time though he felt a quarterly report would be sufficient and staff could utilize their time with more cost saving efforts than the key factor report.

Motion made by Supervisor Clancy, seconded by Supervisor Carpenter to have the Key Factor Report and Jail Daily Average Population report presented quarterly unless there are unexpected changes. Vote taken. Ayes: Buckley, Clancy, Carpenter Nays: Nicholson, Zima. MOTION CARRIED

Motion made by Supervisor Nicholson, seconded by Supervisor Carpenter to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

4. Sheriff's Report.

Chief Deputy De Lain reported on the Arson Task Force vehicle. He stated that repairs to the vehicle had been done at the County shop. He continued that the vehicle was needed recently as there had been three arson fires on the same day in Green Bay. The vehicle was still at the shop at that time waiting for an air conditioner bracket so they had an investigator go pick it up to take it back to Bellevue to load equipment back into it. When they exited the highway the vehicle was not running very well and they got to Bellevue and talked to Assistant Chief Brad Muller who said the vehicle needed to go back to the shop. On the way back to the County shop, the vehicle stalled out and died on the side of the road and had to be towed to the shop.

Upon looking at the vehicle back at the County shop it was determined that the engine slipped a bearing and is shot and the vehicle is now out of commission indefinitely until an estimate is obtained as to what the cost will be to either put a different engine in it or refurbish the current engine. There had been money put into the vehicle already, although at this time it was not known how much. The mechanic indicated that it is a 1987 vehicle and already had a different engine put in in the 1990s following an engine fire. De Lain wanted to advise the Committee that this is a critical problem because the Arson Task Force at this point does not have a vehicle. He continued that they are looking at very cost effective ways to come up with a solution to this problem.

De Lain continued that when the issue of the Arson Task Force vehicle first came up, all options were considered with the understanding that Brown County does not have funds budgeted or available to put into the vehicle so they are looking at the most cost effective ways to come up with a solution. He did look at the Emergency Management trailer with Brad Muller but he did not believe this would be a feasible option at this point. De Lain did say that they are looking at the federal surplus and occasionally there are vehicles that the County can get through the federal government at very affordable prices and they continue to look for any options that may work.

De Lain concluded the Sheriff's report by stating that they will continue to monitor their budget as they do monthly to be sure that things are in line and if there is anything that appears to jump out at them they will make the Committee fully aware to prevent any surprises. Their goal is to continue to keep the Committee informed of what is happening so that the Committee is not surprised nor is the Sheriff's Department surprised of anything.

Motion made by Supervisor Zima, seconded by Supervisor Nicholson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Public Safety Communications

5. Discussion re: Options of either using a lease or exchange of services with the Oneida Tribe of Indians in regards to the Public Safety radio communications tower site located on Oneida Tribal property, with possible approval of a lease or change of services.

Chair Buckley stated that it was his understanding that this was not ready to be discussed at this time and Communications Director Karl Fleury stated that this was correct and he would like to have this referred back to staff and if they are able to complete the process and come up with a viable option or agreement, he would ask that the Public Safety Committee be receptive to meeting prior to the County Board in order to keep the process moving.

Motion made by Supervisor Zima, seconded by Supervisor Nicholson to refer to staff with the option to call a special meeting prior to the County Board meeting if necessary. Vote taken. MOTION CARRIED UNANIMOUSLY

6. Director's Report.

Communications Director Karl Fleury stated that two new hires started on April 30 and there will be two additional new hires starting on May 20. They have three positions filled with prior employees that have come back to help with staffing while new employees are being trained. Fleury also announced that they will be promoting Tracy Ertl, a 20 year employee to a supervisor position on May 16 at 2:00 p.m. in the classroom at the Communications Center and he invited the Public Safety Committee to attend.

With regard to the radio project, site work is starting at various sites and will be started soon at other locations. Fleury stated that they are looking at potentially going into January and that is why he asked the Committee to allow him time to work through this and bring back to reach an agreement with Oneida because time is of the essence in that they need to break ground and move forward. He continued that they are working hard to keep the project within the timelines but if it does become necessary because the project is where it is in construction phase, the FAA will allow a waiver as a safeguard in case there are unpreventable delays. The cold installs at some of the sites where the equipment has been installed will be helpful in saving time and they have also applied for the 7 800 licensing and are working on VHF licensing and those types of things.

Motion made by Supervisor Nicholson, seconded by Supervisor Carpenter to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Medical Examiner

7. 2012 Brown County Medical Examiner Activity Spreadsheet – Informational.

Motion made by Supervisor Nicholson, seconded by Supervisor Zima to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Circuit Courts, Commissioners, Probate

8. Circuit Courts Security Committee Report.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Clerk of Courts – No agenda items.

District Attorney – No agenda items.

Other

9. Audit of bills.

**Motion made by Supervisor Carpenter, seconded by Supervisor Zima to pay the bills. Vote taken.
MOTION CARRIED UNANIMOUSLY**

10. **Such other matters as authorized by law.**

Motion made by Supervisor Clancy, seconded by Supervisor Nicholson to adjourn at 6:39 p.m. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Recording Secretary